

## Stacy Construction Co.

PO Box 856, Warrenville, IL 60555

Ex. 6 - PII

December, 6 2022

Donald R. Schwer III, Enforcement Investigator  
U.S. Environmental Protection Agency, Region 5  
Superfund & Emergency Management Division  
Enforcement Support Section, SE-5J  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

Re: Silbert Watch Company  
1409 Dundee Avenue, Elgin, Kane County, Illinois  
Site/Spill Identifier (SSID): C5RG  
General Notice of Potential Liability and Request for Information

To whom it may concern,

I, William A. Hertz, President, sole owner and only employee of Stacy Construction Co., do hereby testify and certify that all information contained herein is true and accurate to the best of my knowledge and belief.

Stacy Construction Co. purchased the above referenced property from Kane County, in Illinois, at a sealed bid auction, for \$3,887.00 on January 10, 2019, see exhibit A, after Kane County took title to the property due to the prior owner defaulting on the real estate taxes, see exhibit B.

At the time of said purchase, I, on behalf of Stacy Construction Co., had no knowledge or suspicion that the above referenced property had any contamination of any kind.

Soon after said purchase, I ordered a title search of the property and any recorded documents that would disclose any concerns regarding the property in question. Said search, as of January 29, 2019, did not disclose that there were any negative encumbrances or defects recorded against the property, see exhibit C.

After reviewing said title search report, Stacy Construction Co. proceeded to finalize the acquisition of said property and received a Quit Claim Deed from Kane County, dated and recorded on April 2, 2019, see exhibit D.

On or about June 24, 2019, over five months after Stacy Construction Co. purchased said property, I received a certified letter from the Illinois Emergency Management Agency with a mailing date of June 21, 2019, see exhibit E. Said letter stated that there was potential of Radiological Contamination on the property in question. This was the first time that I was made aware of, or had any knowledge of any contamination on or in the soil of the property.

Upon receipt of said letter, I called Kelly Horn at IEMA, from whom I received the letter, to discuss the issue of possible contamination of the soil at the property. In that discussion he explained that there could be Radium Contamination in the soil caused by a certain watch company back in or about the 1950's and/or 1960's.

On July 1, 2019, I received an email from Kelly Horn stating that the IEMA is seeking permission to access the property to conduct gamma radiation surveys and collect soil samples in order to determine if contamination of the soil is present. I, on behalf of Stacy Construction Co., immediately granted the requested permission to access the property, see exhibit F.

After said testing and survey of the soil at the property, the IEMA referred this property in question to the U. S. EPA for additional investigation and evaluation, see exhibit G.

On February 11, 2020, Stacy Construction Co. received an Access Agreement request from the U.S. EPA to have access to the property to conduct additional subsurface investigations. On February 12, 2020, I, on behalf of Stacy Construction Co., consented to said request to access the property, see exhibit H.

Therefore, I, William A. Hertz, president, on behalf of Stacy Construction Co., the current owner of the property, do hereby certify that I/we had no knowledge of any contamination of any kind, on or under the surface, at said property when Stacy Construction Co. purchased the property and received title to the property, and hereby deny having any responsibility or any involvement in any contamination of any kind at said property, and have fully complied with all testing, and all requests from both the Illinois Emergency Management Agency and the U.S. EPA to access the property for the purpose of testing for potential contamination at the site of the property in question.



William A Hertz, President, Stacy Construction Co.

Subscribed and sworn to before me this 6th day  
Of December, 2022



Notary Public



# BINDING PURCHASE CONTRACT / REAL ESTATE / SEALED BID

Item # 0119020 A

The terms and provisions of any "Purchaser Acknowledgment" concerning this item are a part hereof.

KANE County, as Trustee hereinafter referred to as "SELLER"

## SUBJECT PROPERTY:

(Identified by Tract or Permanent Parcel ID#)

06-01-429-008

Date of Bid:

1-10-19

Bid:

\$

3,887.00

MINIMUM BID IS \$512.00

Please enclose payment for the full amount of bid. If you are not the successful bidder, the funds will be returned. If you are the successful bidder, the payment will be deposited and a signed copy of this contract will be returned to you.

The information below will appear upon the deed and future tax bills.

PURCHASER(S):

(PLEASE PRINT)

Stacy Construction Co.

Hereinafter referred to as "PURCHASER"

MAILING ADDRESS:

PO Box 856

Warrenville, IL 60555

PHONE NUMBER

Email:

Ex. 6 - PII

PURCHASER agrees to purchase and SELLER agrees to sell the interest of SELLER in the "SUBJECT PROPERTY" described by the above Tract or Permanent Parcel ID number(s) upon the terms and conditions herein. **NO PERSONAL PROPERTY IS SOLD TO PURCHASER HEREUNDER!**

**Method of Payment.** All payments are to be made payable to COUNTY TRUSTEE. Bids will not be considered unless full payment is tendered along with the bid.

**Title/Survey.** SELLER MAKES NO GUARANTEE AS TO THE QUALITY OR CONDITION OF TITLE. Title may be affected by defects arising prior or subsequent to SELLER'S acquisition. PURCHASER shall obtain and pay for any title examination and/or survey desired by PURCHASER. If the PURCHASER'S research reveals any defect which renders the title unmarketable, and if written evidence of such defect is presented to SELLER within 30 days from date of the Purchase Offer, and if SELLER shall be unable or unwilling to cure such defect within a reasonable time (during which time the final payment date shall be extended without expense to PURCHASER), the PURCHASER has the right to rescind the sale and receive a refund of all sums deposited with SELLER under the Purchase Offer without interest thereon. All claims of defect in title and/or survey shall be deemed waived by PURCHASER unless presented to SELLER in the time and manner above provided. The SELLER will not in any case be required to reimburse PURCHASER for expenses incurred in any investigation or inspection of the property or its title, or in curing any defects in the condition thereof, or for any other expense.

**Property Condition.** PURCHASER hereby accepts the subject property in "AS IS" condition, based upon PURCHASER'S own inspection and acceptance of the record and actual physical condition of the property and structures thereon. Neither SELLER nor SELLER'S Agent makes any guarantee, warranty or representation, express or implied, of any kind whatever, as to the subject property or any structure thereon, whether as to location, quality, kind, character, size, description, fitness for any use or purpose (including habitability or other occupancy), freedom from any defect (whether latent or patent), compliance with or freedom from violation (or legal action to abate claimed violation) of any building, housing, zoning, environmental and/or other applicable ordinances, statutes or laws, or freedom from legal action to demolish any structure by reason of the condition thereof, or any other aspect of the property or structures thereon now or hereafter. PURCHASER'S RIGHTS ARE SUBJECT TO ALL MATTERS ASCERTAINABLE FROM PERSONAL INSPECTION AND FROM CONSULTATION WITH LOCAL GOVERNMENTAL AUTHORITIES.

**Purchaser Acknowledgment.** The terms and provisions of any "Purchaser Acknowledgment" concerning this item are a part hereof.

Acceptance Date:

1/17/19

SELLER:

Kim Wildhaber

By Its Authorized Agent

County Tax Agent - Telephone 618-656-5744

Post Office Box 96, Edwardsville, Illinois 62025-0096

www.iltaxsale.com

© Copyright 2018 - Joseph E. Meyer & Associates, All rights reserved 12/2018

**Possession.** PURCHASER shall not enter the subject property or any structure thereon or otherwise take physical possession thereof, or cause any detrimental alteration thereto, or remove any personal property therefrom, at any time before recording of the deed to PURCHASER. PURCHASER shall, at PURCHASER'S expense maintain the subject property in safe condition and assure its compliance with all applicable laws and ordinances from and after the date hereof and, if presently unoccupied, shall secure the same against unauthorized entry. No refunds will be made based upon damage to, or the condition of, the subject property or any structure thereon at any time.

**Transfer of Title.** SELLER will quitclaim its interest in the subject property, as directed herein, approximately 90 days after receipt of full payment. In the event PURCHASER consists of two or more persons, SELLER will convey title to them as joint tenants with the right of survivorship unless, prior to deed preparation, SELLER receives contrary written instructions signed by them. PURCHASER will receive PURCHASER'S recorded deed directly from the Recorder's Office.

**Future Taxes.** PURCHASER shall pay all general taxes accruing, and all special taxes and assessments becoming due, upon the subject property for the period beginning January 1 of the year 2020.

**Indemnity.** PURCHASER hereby releases and agrees to hold harmless and to indemnify SELLER, and SELLER'S Agent, and each of their respective officers, agents, subagents and employees from, and hereby assumes all responsibility for, all existing and future liabilities associated with the subject property and any improvements thereon, and from all costs, claims, losses and expenses (including reasonable attorney fees and other costs of litigation) caused by, resulting from, or relating to the acts or omissions of the PURCHASER and the PURCHASER'S agents and employees from and after the date of this contract.

**Failure to Complete Purchase.** IN THE EVENT PURCHASER FAILS TO COMPLETE THIS PURCHASE, SELLER MAY RETAIN ALL MONIES PAID AS LIQUIDATED DAMAGES AND NOT AS A PENALTY. PURCHASER ACKNOWLEDGES THAT SUCH RETENTION IS REASONABLE UNDER THE CIRCUMSTANCES AND THAT PURCHASER SHALL HAVE NO FURTHER RIGHT HEREUNDER.

**Right of Rescission.** UNTIL RECORDING OF THE DEED TO PURCHASER, THE SELLER RESERVES THE UNCONDITIONAL RIGHT TO CANCEL THIS AGREEMENT AND RESCIND THIS SALE, FOR ANY REASON WHATSOEVER, AND IN SUCH EVENT ALL SUMS DEPOSITED WITH SELLER HEREUNDER SHALL BE REFUNDED WITHOUT INTEREST THEREON.

rev 8/15

Purchaser Signature(s)

X

X

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# KANE COUNTY, ILLINOIS



## Sealed Bid Auction of Surplus Real Estate and Mobile Homes

**Last Day to Bid: January 11, 2019**

**Deliver Bids to:**

David Rickert, Treasurer

Hours: 8:30 a.m. - 4:30 p.m.

Kane County Government Center  
719 S. Batavia Avenue , Building A  
Geneva, Illinois 60134



# KANE COUNTY TAX AGENT

---

141 ST. ANDREWS AVENUE  
P.O. BOX 96  
EDWARDSVILLE, ILLINOIS 62025  
(618) 656-5744  
FAX# : (618) 656-5094  
[www.iltaxsale.com](http://www.iltaxsale.com)

January 17, 2019

Stacy Construction Co.  
P.O. Box 856  
Warrenville, IL 60555

RE: Item# : 0119020A  
Parcel# : 06-01-429-008



Dear Sir or Madam:

Thank you for your participation in the Kane County Surplus Property Sealed Bid Auction. You submitted the winning bid. We are enclosing a copy of your purchase contract and a receipt for your funds.

For your protection, you may wish to obtain (at your expense) title insurance in conjunction with your purchase. If you so desire, please do so as soon as possible since we will begin the process of conveying the property to you within the next 30 days unless you request that we delay the conveyance.

It takes approximately 90 days to complete deed processing. We will deed the property to the name and address shown on the purchase contract unless we hear otherwise from you. If you have any questions, please contact our office.

Sincerely,

Auction Department

Enclosure

Kane County Tax Agent  
PO Box 96  
Edwardsville, IL 62025  
Phone (618) 656-5744

## STATEMENT

**Ex. 6 - PII**

Date: 02/01/2019

Stacy Construction Co.  
P.O. Box 856  
Warrenville, IL 60555

Parcel#: 06-01-429-008  
Property Addr: 1409 DUNDEE AVE.  
ELGIN, IL 60120

Total Charges: **\$3,887.00**

PAYMENT RECORD					
Date	Amount	Date	Amount	Date	Amount
01/17/2019	3,887.00				

BALANCE DUE: **\$0.00**

*This account is completed.*

*Keep this for your records.*

RETURN THIS PORTION WITH YOUR PAYMENT  
Please correct any errors in your name or address in this area.

Payor: Stacy Construction Co.,

Account No: **Ex. 6 - PII**

Date: 02/01/2019

Make check payable to: Kane County Trustee  
Write your account number on your check.

Mail to: Kane County Tax Agent  
PO Box 96  
Edwardsville, IL 62025



**Ex. 6 - PII**

Recommended Payment Due by 02/20/2019	<b>\$0.00</b>
Please fill in the amount of your payment	



Exhibit B

# TAX DEED

Certificate No. : 2015-01127



STATE OF ILLINOIS )  
 ) SS  
COUNTY OF KANE )

2019K002501  
SANDY WEGMAN  
RECORDER - KANE COUNTY, IL

RECORDED: 1/18/2019 09:04 AM  
REC FEE: 53.00 RHSPS FEE: 9.00  
PAGES: 1

At a public sale of property for the nonpayment of taxes, held in the County above stated, on the Second day of November, A.D., 2015 the following described property was sold:

✓ Lots 1 and 2 in Block 1 of TROUT PARK SUBDIVISION in the City of Elgin, except the easterly 77 feet there; and also except that part described as follows: Beginning at the Northwest Corner of said Lot 1; thence Southerly along the Westerly line of said Lots, 142 feet to the Southeast Corner of said Lot 2; thence Easterly along the Southerly line of said Lot 2, 10.33 feet; thence Northerly along a line forming an angle of 75° 30' 00" to the left with the prolongation of the last described course 83 feet; thence Northeasterly along a line forming an angle of 15° to the right with the prolongation of the last described course 68.1 feet to the north line of said Lot 1; thence West along said North line 28 feet to the point of beginning, situated in the County of Kane and State of Illinois.

✓ Permanent Parcel No. : 06-01-429-008  
Property Address : 1409 DUNDEE AVE., ELGIN, IL 60120  
Previous Owner: MOHIUDDIN, IRFAN, MOHIUDDIN, BILKISH

The property not having been redeemed from the sale, and it appearing that the holder of the certificate of purchase of the property has complied with the laws of the State of Illinois necessary to entitle it to a Deed of the property:

I, John A. Cunningham, County Clerk of said County of Kane, in consideration of the property and by virtue of the statutes of the State of Illinois in such cases provided, grant and convey to KANE COUNTY, AS TRUSTEE (For Taxing Districts Pursuant To 35 ILCS 200/21-90) Under Trust No. 06-01-429-008, its successors and assigns forever, the property described above.

Given under my hand and the seal of the County of Kane this 16<sup>th</sup> day of January A.D., 2019.



*John A. Cunningham*  
John A. Cunningham, Kane County Clerk

Unless the holder of the certificate purchased at any tax sale under this Code takes out the deed in the time provided by law, and records the same within one year from and after the time for redemption expires, the certificate or deed, and the sale on which it is based, shall, after the expiration of the one year period, be absolutely void with no right to reimbursement. If the holder of the certificate is prevented from obtaining a deed by injunction or order of any court, or by the refusal or inability of any court to act upon the application for a tax deed, or by the refusal of the clerk to execute the same deed, the time he or she is so prevented shall be excluded from computation of the one year period.

Grantee's Address and Future Tax Bills to: Kane County-as Trustee, P. O. Box 96, Edwardsville, IL 62025

## Certificate of Exemption

Exempt under provisions of Paragraph F Section 31-45" of the Real Estate Transfer Tax Law (35 ILCS 200/31-45)

**Kane County Trustee**

Buyer, Seller, Representative : *White*  
Dated: December 20, 2018

Prepared by and Return to:  
Stephen P. Schrimpf  
Attorney at Law  
141 St. Andrews (PO Box 96)  
Edwardsville, IL 62025

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**Security First Title Co.**  
**"Where The Security of Your Home Begins With The Title"**  
**3963 W. Riverside Blvd, Rockford, IL 61101 (815)226-2278 Fax (815)226-9029**

02/08/19

William Hertz

**Attention:** Bill Hertz

We have searched the following described legal description in the records of Kane County, Illinois through 01/29/19 at 8:00 A.M.

**Address:** 1409 Dundee Avenue, Elgin, IL 60120

**Legal Description:**

LOTS 1 AND 2 IN BLOCK 1 OF TROUT PARK SUBDIVISION IN THE CITY OF ELGIN, EXCEPT THE EASTERLY 77 FEET THEREOF; AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOTS 142 FEET TO THE THE SOUTHEAST CORNER OF SAID LOT 2; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2, 10.33 FEET; THENCE NORTHERLY ALONG A LINE FORMING AN ANGLE OF 75 DEGREES, 30 MINUTES, 0 SECONDS TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE 83 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 15 DEGREES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE 68.1 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE WEST ALONG SAID NORTH LINE 28 FEET TO THE POINT OF BEGINNING; SITUATED IN THE COUNTY OF KANE AND STATE OF ILLINOIS.

**Grantee in the Last Deed of Conveyance:**

Kane County, as Trustee

**Our search indicates that the following liens are recorded in Kane County Recorder's Office affecting the land referred to in this written search:**

NONE



**PAGE 2**

Taxes for the first half of 2017 in the amount of \$1,330.62 due June 4, 2018 are PAST DUE & DELINQUENT.

Taxes for the second half of 2017 in the amount of \$1,330.62 due September 4, 2018 are PAST DUE & DELINQUENT.

**Tax Code:** 06-01-429-008

**Tax Amount:** \$ 2,661.24

Our search indicates that there are no Mechanics Liens, Judgments, Federal or State Tax Liens affecting the land other than those described above, if any. We have made no search for easements.

**This is NOT a Title Insurance Policy and should not be relied upon as such.**

We assume no liability beyond the amount of fees charged in this matter. This service is done as a courtesy at a nominal cost. Should you desire full insurance coverage, we will be glad to quote you.

Faithfully,

A handwritten signature in dark ink, appearing to be a stylized 'J' or 'K' followed by a surname, possibly 'Johnson'.

2019-0301K

Security First Title Co.  
3963 W. Riverside Blvd  
Rockford, IL 61101  
Phone (815)226-2278 Fax (815)226-9029  
"WHERE THE SECURITY OF YOUR HOME BEGINS WITH THE TITLE"

INVOICE

CASE NUMBER: 2019-0301K

Address: 1409 Dundee Avenue, Elgin, IL 60120

pd 2-21-19  
1582

To: William Hertz

Date: February 8, 2019

Stacy Construction Co.

	Seller's Charges	Buyer's Charges	Total Charges
Owner's Policy \$			\$
Mortgage Policy \$			\$
Closing Fee \$			\$
Written Search Fee	\$ 125.00		\$ 125.00
			\$125.00

KANE COUNTY, ILLINOIS

NOTE: INVOICE SUBJECT TO: WIRE FEE (\$15.00), EMAIL FEE (\$25.00), COURIER FEE (\$25.00 PER PACKAGE).

**PURCHASER:**

Stacy Construction Co.

**SELLER:**

Kane County, as Trustee

NOTE: EFFECTIVE JANUARY 1, 2010, PURSUANT TO PUBLIC ACT 096-0645, SFTC REQUIRES INCOMING FUNDS OF \$50,000 OR GREATER FROM ANY SINGLE PARTY TO BE WIRED FUNDS AND INCOMING FUNDS LESS THAN \$50,000 TO BE EITHER WIRED FUNDS OR IN THE FORM OF CERTIFIED OR CASHIERS CHECKS, BANK MONEY ORDERS, OFFICIAL BANK CHECKS OR TELLER'S CHECKS MADE PAYABLE TO SECURITY FIRST TITLE COMPANY.

E-mail us at [Sec1Title@aol.com](mailto:Sec1Title@aol.com) or visit us on the web at [www.securityfirsttitleco.com](http://www.securityfirsttitleco.com)

Serving all of your title insurance needs for the entire STATES of ILLINOIS, IOWA, AND WISCONSIN. We close transactions 7 days a week at our office or any outside location.

THANK YOU FOR YOUR BUSINESS!



**DEED** 03-19-006

THIS INDENTURE WITNESSETH, that the Grantor, KANE COUNTY, AS TRUSTEE (For Taxing Districts Pursuant To 35 ILCS 200/21-90) Under Trust No. 06-01-429-008, of the State of Illinois, for the consideration of the sum of ----TEN AND NO/100----Dollars, and pursuant to authority given by the County Board of Kane County, Illinois, under Resolution duly adopted on March 12, 2019, does hereby CONVEY AND QUIT CLAIM TO:

**STACY CONSTRUCTION CO.**

Whose address is:

**P.O. Box 856  
Warrenville, IL 60555**

all interest in the following described real estate, situated in the County of Kane and State of Illinois:

**2019K012717  
SANDY WEGMAN  
RECORDER - KANE COUNTY, IL**

RECORDED: 4/2/2019 02:30 PM  
REC FEE: 53.00 RHSPS FEE: 9.00  
PAGES: 3

"Exempt under provisions of Paragraph "F",  
Section 31-45, of the Real Estate Transfer Tax  
Law(35 ILCS 200/31-45)  
**KANE COUNTY TRUSTEE**  
Buyer, Seller or Representative  
Date: March 12, 2019

Lots 1 and 2 in Block 1 of TROUT PARK SUBDIVISION in the City of Elgin, except the easterly 77 feet there; and also except that part described as follows: Beginning at the Northwest Corner of said Lot 1; thence Southerly along the Westerly line of said Lots, 142 feet to the Southeast Corner of said Lot 2; thence Easterly along the Southerly line of said Lot 2, 10.33 feet' thence Northerly along a line forming an angle of 75° 30' 00" to the left with the prolongation of the last described course 83 feet; thence Northeasterly along a line forming an angle of 15° to the right with the prolongation of the last described course 68.1 feet to the north line of said Lot 1; thence West along said North line 28 feet to the point of beginning, situated in the County of Kane and State of Illinois.

Permanent Parcel No.: 06-01-429-008

Property Address: 1409 Dundee Ave., Elgin, IL 60120

*Grantee assumes payment of taxes for the year 2020 and thereafter.*

IN WITNESS WHEREOF, the said KANE COUNTY, TRUSTEE, has caused its name to be signed hereto and its corporate seal affixed hereto by the Chairman of the County Board of Kane County, Illinois, on the 2nd day of April, 2019.

ATTEST:

John A. Cunningham  
County Clerk of Kane County, Illinois

KANE COUNTY, AS TRUSTEE

BY

Chris Tye  
Chairman, County Board of Kane County, Illinois

STATE OF ILLINOIS )

)SS

COUNTY OF KANE )

I, the undersigned, a notary public in and for said County in the State aforesaid, Do hereby Certify that the CHAIRMAN OF THE COUNTY BOARD OF KANE COUNTY, ILLINOIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the said instrument as such Chairman of the County Board of Kane County, Illinois, and caused the corporate seal of said County to be affixed thereto, pursuant to authority given by the County Board of Kane County, Illinois, for the purposes therein set forth.

Given under my hand and notarial seal this

day of

2nd April, 2019  
Pamela A. Stahl

NOTARY PUBLIC

Acquired by Document No: 2019K002501  
Return To: County Tax Agent, P O Box 96, Edwardsville, IL 62025  
Tax Bills to GRANTEE: Stacy Construction Co.  
PO Box 856  
Warrenville, IL 60555



**(Copy to Trustee)**

Unimproved-\$3825

**0119020A**

This instrument drafted by Stephen P. Schrimpf, Attorney at Law, P. O. Box 96, Edwardsville, IL 62025



# PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS ss

CARRIE HANSEN, being duly sworn on oath, states that affiant is employed by Joseph E. Meyer & Associates, Kane County Tax Agent, P O Box 96, Edwardsville, IL 62025

And further states that the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land and that this parcel is being conveyed as was taken by Kane County, as Trustee.

AFFIANT further states that she makes this affidavit for the purpose of inducing the Recorder of Deeds of Kane County, Illinois, to accept the attached deed for recording.

PARCEL NO.: 06-01-429-008

AFFIANT:

Carrie Hansen

SWORN to before me this date: March 21, 2019

Stacy Minnick

Notary Public  
County of Madison, State of Illinois





## ILLINOIS EMERGENCY MANAGEMENT AGENCY

JB Pritzker  
Governor

Alicia Tate-Nadeau  
Acting Director

Current Property Owner  
1409 Dundee Avenue  
Elgin, IL 60120

SUBJECT: Notification of Potential Radiological Contamination

Dear Current Owner:

Due to recent Freedom of Information Act requests regarding the property located at 1409 Dundee Avenue, Elgin, Illinois, the Illinois Emergency Management Agency, Division of Nuclear Safety, (IEMA) has done a review of historical information related to activities conducted on this property. The historical information revealed radium contamination may exist or existed on the property from the M.J. Silbert Watch Dial Company facility.

Radium-226 is a regulated radioactive material that, in certain quantities, may pose a risk to public health and safety. IEMA is requesting access to your property to perform radiological surveys and to collect samples to determine whether there is any residual contamination.

It is important that you contact IEMA immediately to schedule an initial site visit. The surveys will help determine whether your property requires remediation to remove residual contamination to be compliant with State and federal regulations. IEMA will share all survey results with you as soon as they are available. Should remediation be required, IEMA will provide additional information on any actions that may be necessary to ensure protection of public health and safety. The initial surveys will be conducted at no charge; however, if initial surveys reveal that remediation is necessary, the property owner will be responsible for further remediation costs.

To schedule the initial site visit and for any questions regarding this correspondence, please contact me at [Kelly.Horn@illinois.gov](mailto:Kelly.Horn@illinois.gov) or (217)558-5135. If you are not the current owner of the above-referenced property, please let IEMA know whom to contact. If residual contamination on your property has already been remediated, please provide IEMA with records describing cleanup activities and the status of the remediation.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Horn".

Kelly Horn, Section Head  
Environmental Management Section  
Division of Nuclear Safety



Illinois Emergency Management Agency  
1035 Outer Park Drive  
Springfield, Illinois 62704

NOT  
RETURNED  
REQUESTED

CERTIFIED MAIL™



7012 3460 0001 3858 7735

Stacy Construction Co.  
P.O. Box 856  
Warrenville, IL 60555

6/23



U.S. POSTAGE® PITNEY BOWES  
ZIP 62704 \$ 006.80<sup>0</sup>  
02 4W  
0000363564 JUN 21 2019

605550856 8005





Exhibit F 1 of 2



Ex. 6 - PII

**1409 Dundee Street, Elgin, Illinois Property Access**

2 messages

Horn, Kelly &lt;Kelly.Horn@illinois.gov&gt;

Mon, Jul 1, 2019 at 2:48 PM

Ex. 6 - PII

Sir –

It was a pleasure speaking with you today. As I stated during our phone conversation, the Illinois Emergency Management Agency is seeking your permission to enter your property located at 1409 Dundee Street in Elgin, Illinois for the purpose of conducting gamma radiation surveys and collecting soil samples in order to determine if radium-226 contamination is present in the soil. We would like to schedule this for the week of July 29. Provided the weather cooperates, the survey and sampling activities should only take 1-2 hours to conduct.

Please respond to this email granting or denying access to the aforementioned property.

If you wish to obtain documents possessed by the Agency regarding your property at 1409 Dundee Street please complete the online Freedom of Information Act form using the link below.

<https://www2.illinois.gov/iema/FOIA/Pages/request.aspx>

If you have questions please do not hesitate to contact me.

Respectfully,

Kelly Horn

Section Head, Environmental Management

Division of Nuclear Safety

Illinois Emergency Management Agency

1035 Outer Park Drive

Springfield, IL 62704

P: 217.558-5135

E: Kelly.Horn@illinois.gov

William Hertz <[REDACTED]> Ex. 6 - PII  
To: "Horn, Kelly" <Kelly.Horn@illinois.gov>

Mon, Jul 1, 2019 at 3:01 PM

Mr. Horn

We hereby grant permission to access the above mentioned property for the purpose of said testing. Please notify me of the date and time of the testing so that I can be on site at the time of the testing. Please forward to us copies of all test results.

Sincerely,

William A. Hertz  
Stacy Construction Co.  
PO Box 856  
Warrenville, IL 60555

Ex. 6 - PII

[Quoted text hidden]



## ILLINOIS EMERGENCY MANAGEMENT AGENCY

**JB Pritzker**  
Governor

**Alicia Tate-Nadeau**  
Acting Director

October 18, 2019

Mr. Mike Ribordy  
Chief, Emergency Response Section 2  
Emergency Response Branch 2  
U.S. EPA, Region 5  
Chicago, IL 60604

Subject: Radium-226 contamination at 1409 Dundee Avenue and 670 Stewart Avenue, Elgin, Illinois

Dear Mr. Ribordy:

On behalf of the Illinois Emergency Management Agency (IEMA), I am requesting the Region 5 Office of the United States Environmental Protection Agency (USEPA) assign an On-Scene Coordinator to consider possible time-critical removal actions at 1409 Dundee Avenue and 670 Stewart Avenue, Elgin, Illinois.

Records indicate that the M.J. Silbert Watch Dial Company operated a watch manufacturing operation at 1409 Dundee Avenue from 1954 to 1971 using radium sulfate paint for radioluminescence purposes. As a result of the watch dial operations, 1409 Dundee and the neighboring property, 670 Stewart Avenue, became contaminated with radium-226. The properties are currently owned by the Stacy Construction Company and the Habitat for Humanity of Northern Fox Valley, respectively, and are vacant lots without controls in place to limit site access.

The two subject properties, Figures 1 and 2 in Attachment 1, are contiguous properties located in the northeastern portion of Elgin and are bordered by commercial properties on the south and west. The property directly north is owned and occupied by the Church of the Brethren Benefit. The eastern and southeastern border is a residential neighborhood. Further, Dundee/Trout Park is adjacent from the northwestern corner of 1409 Dundee. Figure 3 in Attachment 1 provides an indication of the number of residential, public, and privately owned properties within a 1,000-foot radius from the properties.

With permission from the current owners, IEMA conducted a cursory radiological site assessment for the two properties on July 31, 2019. The assessment consisted of a gamma count rate walkover survey utilizing a 2x2 sodium iodide detector coupled to a Ludlum 2221 rate meter, gamma dose rate measurements, and soil sampling. All soil samples were submitted to IEMA's Radiochemistry Laboratory for gamma spectral analysis.



The gamma spectral analysis identified radium-226 concentrations ranging from natural background to 226 picocuries per gram (pCi/g). Further, IEMA's analysis identified an increased radium-228 concentration, 75.4 pCi/g, for the 670 Stewart parcel. IEMA suspects the increased radium-228 concentrations can be attributed to naturally occurring radioactive material in brick building debris located on-site.

IEMA does not have the personnel or financial resources necessary to conduct further assessment of the properties. As such, if the USEPA concurs with our request for a time-critical removal action, IEMA would suggest a comprehensive radiological site assessment be conducted.

Please have your On-Scene Coordinator contact me at his/her earliest convenience. At that time, IEMA can provide additional site assessment information and other relevant site information. Thank you for your support and consideration to this matter and we look forward to hearing from the USEPA about this project.

Sincerely,



Kelly Horn

Head of Environmental Management  
Division of Nuclear Safety  
Illinois Emergency Management Agency

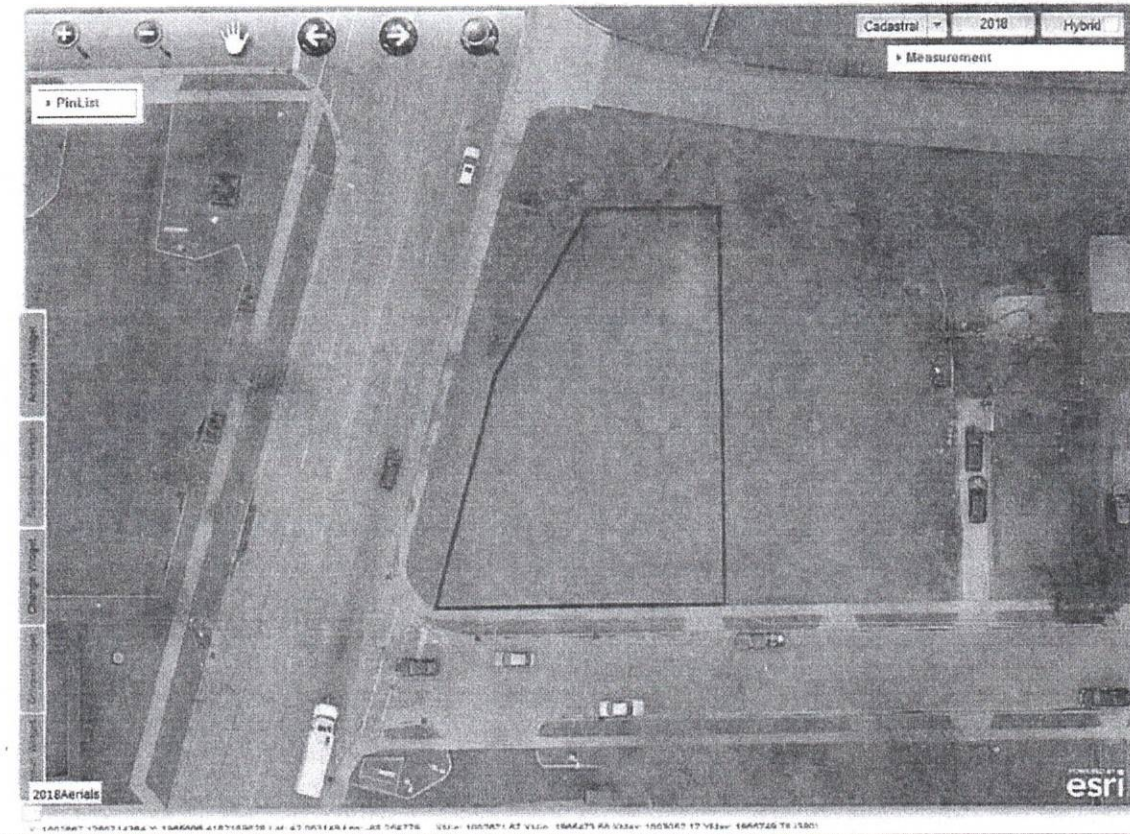
Email cc:

Adnan Khayyat, IEMA  
Louise Conway, IEMA  
Jerry Willman, IEPA  
Paul Lake, IEPA  
Sam Borries, USEPA  
IEMA Site File

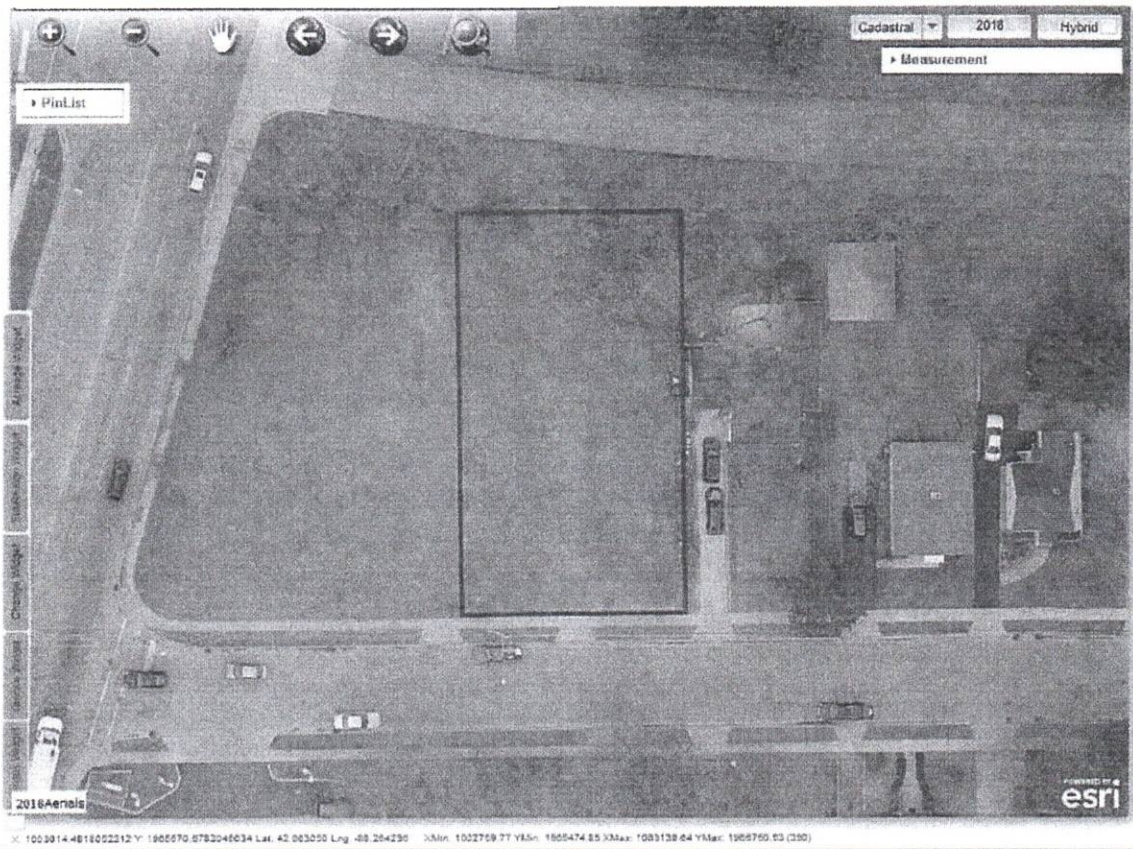
## Attachment 1

**Figure 1**

### **1409 Dundee Avenue Parcel Boundary**

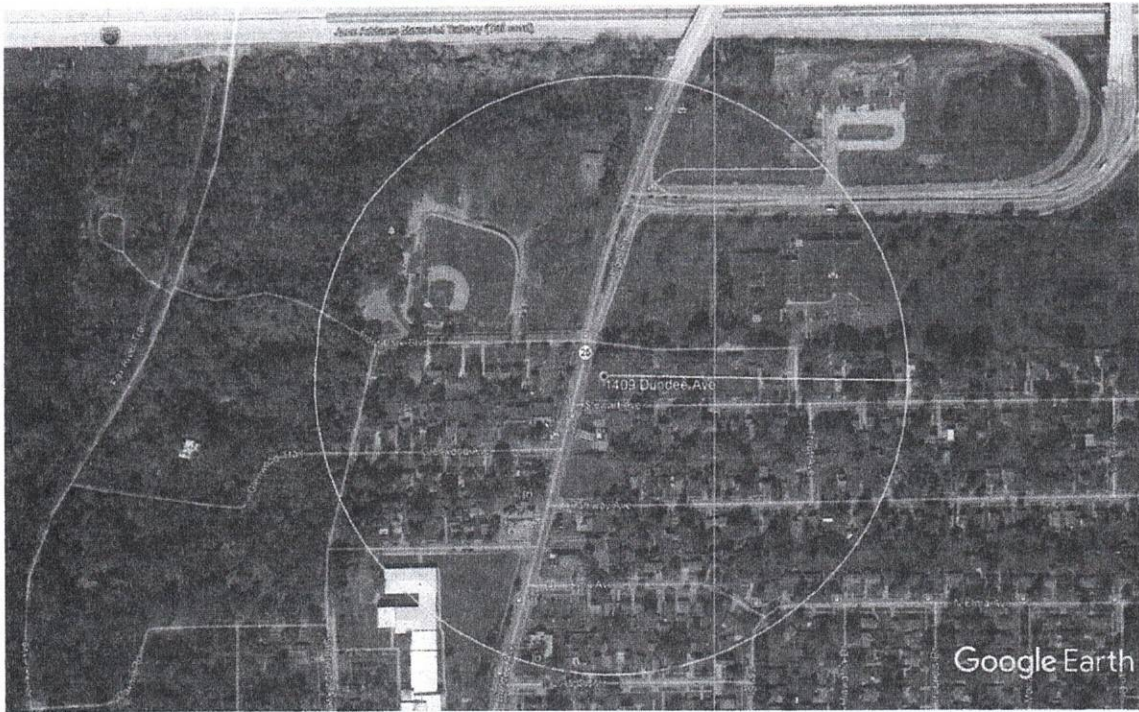


**Figure 2**  
**670 Stewart Avenue Parcel Boundary**





**Figure 3**  
**1,000-Foot Radius From Properties**





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF  
SE-5J

### CONSENT FOR ACCESS TO PROPERTY

**SITE NAME:** Silbert Watch Company Site

**PROPERTY OWNER:** Stacy Construction Company

**PROPERTY ADDRESS:** 1409 Dundee Avenue, Elgin, IL 60120

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency (U.S. EPA) entering and having continued access to this property for the following purposes:

- Conducting monitoring and sampling activity;
- Collection of soil, sediment, water, and air samples as necessary;
- Drilling or excavating holes for subsurface investigation;
- Containing hazardous materials present on the property;
- Performing other actions to investigate contamination on the property that U.S. EPA may determine to be necessary;
- Preparing for and disposing of hazardous materials; and
- Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant which U.S. EPA determines may pose an imminent and substantial endangerment to the public health or the environment.

I realize that these actions taken by U.S. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. '9601 et seq.

This written permission is given by me voluntarily, on behalf of myself and all other co-owners of this property, with knowledge of my right to refuse and without threats or promises of any kind.

2-12-2020  
Date

William A Hertz President  
Printed Name and Title

[Signature]  
Signature Property Owner/Authorized Representative

**Ex. 6 - PII****Consent for Access - 1409 Dundee Avenue, Elgin, IL**

1 message

**Haag, Daniel** <Haag.Daniel@epa.gov>

Ex. 6 - PII

Tue, Feb 11, 2020 at 3:52 PM

Mr. Hertz,

Per our conversation, please find attached an Access Agreement for 1409 Dundee Avenue in Elgin, IL.

The Illinois Emergency Management Agency has referred this address to the U.S. EPA for additional investigation and evaluation. U.S. EPA would like to access the property to conduct a radiation walkover survey during the week of February 17<sup>th</sup>. This survey will allow us to better prepare a plan for a subsurface investigation. To begin our survey work, we will need the attached access agreement signed and returned.

If you have any questions, please do not hesitate to contact me at (312)-886-6906.

Thx

Dan

**Dan Haag, CHMM**

On-Scene Coordinator

U.S. EPA, Region 5

Superfund &amp; Emergency Management Division

77 West Jackson Blvd (SE-5J)

Chicago, IL 60604

(o) 312.886.6906

Ex. 6 - PII

haag.daniel@epa.gov

**Access Agreement\_blank\_Stacy Construction.pdf**

247K